

**MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES**

**REGULAR MEETING – 6:30 PM
May 10, 2011**

CALL TO ORDER

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:58 p.m. by Mayor Stewart in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE – The Pledge of Allegiance was led by Council Member William H. Batey II

INVOCATION – Mayor Richard A. Stewart

ROLL CALL

Council:

Richard A. Stewart	Mayor
Jesse L. Molina	Mayor Pro Tem
William H. Batey II	Council Member
Marcelo Co	Council Member
Robin N. Hastings	Council Member

Staff:

Jane Halstead	City Clerk
Julienne Clay	Administrative Assistant
Henry T. Garcia	City Manager
Richard Teichert	Financial and Administrative Services Director
Robert Hansen	City Attorney
Michelle Dawson	Acting Assistant City Manager
John Anderson	Police Chief
Steve Curley	Fire Chief
Chris Vogt	Public Works Director
Barry Foster	Community and Economic Development Director
Sonny Morkus	Human Resources Director
Mike McCarty	Parks & Community Services Director

JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF

THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

Mayor Stewart opened the agenda items for the Consent Calendars for public comments; there being none, public comments were closed.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

A.2 [MINUTES - REGULAR MEETING OF APRIL 26, 2011 \(Report of: City Clerk Department\)](#)

Recommendation:

Approve as submitted.

A.3 [MINUTES - SPECIAL MEETING OF APRIL 19, 2011 \(Report of: City Clerk Department\)](#)

Recommendation:

Approve as submitted.

A.4 [MINUTES - REGULAR MEETING OF APRIL 12, 2011 \(Continued from April 26, 2011\) \(Report of: City Clerk Department\)](#)

Recommendation:

Approve as submitted.

A.5 [CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES \(Report of: City Clerk Department\)](#)

Recommendation:

Receive and file the Reports on Reimbursable Activities for the period of April 20 - May 3, 2011.

A.6 [PA07-0021 - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF SUNNYMEAD BOULEVARD ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: WESTERN STATES CONSTRUCTION, INC., ANAHEIM, CA 92807 \(Report of: Public Works Department\)](#)

Recommendation:

1. Adopt Resolution No. 2011-37 authorizing the acceptance of the public improvements within PA07-0021 as complete and accepting the portion of Sunnymead Boulevard associated with the project into the City's maintained street system; and

Resolution No. 2011-37

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within PA07-0021, and Accepting the Portion of Sunnymead Boulevard Associated with the Project into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

A.7 [NOTICE OF COMPLETION AND ACCEPTANCE OF SUNNYMEAD BOULEVARD BEAUTIFICATION AND ENHANCEMENT FROM FREDERICK STREET TO PERRIS BOULEVARD PROJECT - PROJECT NO. 04-89280221-2 \(Report of: Public Works Department\)](#)

Recommendation:

1. Accept the work as complete for the Sunnymead Boulevard Beautification and Enhancement from Frederick Street to Perris Boulevard constructed by PALP Inc. dba Excel Paving Company (Excel), 2230 Lemon Avenue, Long Beach, CA 90806;
2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code;
3. Authorize the Financial and Administrative Services Director to assess liquidated damages and withhold further payment to Contractor; and
4. Accept the improvements into the City's maintained system.

A.8 [AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR WIDENING OF PERRIS BOULEVARD SOUTHBOUND AT STATE ROUTE 60 WESTBOUND RAMP PROJECT NO. 08-12566627 \(Report of: Public Works Department\)](#)

Recommendation:

1. Grant LSC Construction's request for relief of bid proposal due to a mistake made in filling out the bid;
2. Award the construction contract for Widening of Perris Boulevard Southbound at State Route 60 Westbound Ramp to Hillcrest Contracting, Inc., 1467 Circle City Drive, Corona, CA 92878, the lowest responsible bidder;
3. Authorize the City Manager to execute a contract with Hillcrest Contracting, Inc.;
4. Authorize the issuance of a Purchase Order to Hillcrest Contracting, Inc. in the amount of \$297,060.00 (\$247,550.00 for the bid amount plus 20% contingency) when the contract has been signed by all parties; and
5. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Hillcrest Contracting, Inc., up to, but not exceeding, the total contingency amount of \$49,510.00, subject to the approval of the City Attorney.

A.9 [PA09-0043 \(PM 36262\) – COMMERCIAL – ACCEPT FINAL MAP, AGREEMENT, AND BONDS FOR PUBLIC IMPROVEMENTS; DEVELOPER: FRANK POZGAJ & MARIA POZGAJ FAMILY TRUST, RANCHO MIRAGE AND MORENO BEACH STATION, LLC, MORENO VALLEY, CA. \(Report of: Public Works Department\)](#)

Recommendation:

1. Approve PA09-0043, authorize the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation;
2. Accept the Agreement and Bonds for Public Improvements;
3. Authorize the Mayor to execute the Agreement;
4. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and
5. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

- A.10 [PERSONNEL RULES AND REGULATIONS REVISION \(Report of: Human Resources Department\)](#)

Recommendation:

Approve the Personnel Rules and Regulations.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

- B.1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

- B.2 [MINUTES - REGULAR MEETING OF APRIL 26, 2011 \(Report of: City Clerk Department\)](#)

Recommendation:

Approve as submitted.

- B.3 [MINUTES - SPECIAL MEETING OF APRIL 19, 2011 \(Report of: City Clerk Department\)](#)

Recommendation:

Approve as submitted.

- B.4 [MINUTES - REGULAR MEETING OF APRIL 12, 2011 \(Continued from April 26, 2011\) \(Report of: City Clerk Department\)](#)

Recommendation:

Approve as submitted.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

- C.1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

- C.2 [MINUTES - REGULAR MEETING OF APRIL 26, 2011 \(Report of: City Clerk Department\)](#)

Recommendation:

Approve as submitted.

- C.3 [MINUTES - SPECIAL MEETING OF APRIL 19, 2011 \(Report of: City Clerk Department\)](#)

Recommendation:

Approve as submitted.

- C.4 [MINUTES - REGULAR MEETING OF APRIL 12, 2011 \(Continued from April 26, 2011\) \(Report of: City Clerk Department\)](#)

Recommendation:

Approve as submitted.

- C.5 [REVISIONS TO THE RDA HOMEBUYER ASSISTANCE PROGRAM \(Report of: Community & Economic Development Department\)](#)

Recommendation:

Approve amendments to the Homebuyer's Assistance Program (HAP) to allow the loan term to be reduced to 20 years and allow the loan to be forgiven upon the expiration of the loan term.

D. CONSENT CALENDAR – BOARD OF LIBRARY TRUSTEES

- D.1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

- D.2 [MINUTES - REGULAR MEETING OF APRIL 26, 2011 \(Report of: City Clerk Department\)](#)

Recommendation:

Approve as submitted.

- D.3 [MINUTES - REGULAR MEETING OF APRIL 12, 2011 \(Continued from April 26, 2011\) \(Report of: City Clerk Department\)](#)

Recommendation:

Approve as submitted.

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina

Approved by a vote of 5-0.

E. PUBLIC HEARINGS

- E.1 [PUBLIC HEARING TO ADOPT THE COMMUNITY DEVELOPMENT BLOCK GRANT \(CDBG\) AND HOME INVESTMENT PARTNERSHIP \(HOME\) PROGRAM ANNUAL ACTION PLAN FOR FISCAL YEAR 2011/12 \(Report of: Community & Economic Development Department\)](#)

Mayor Stewart opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Recommendation: That the City Council:

1. Conduct a Public Hearing for the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) Program to provide the public with an opportunity to comment on the proposed 2011/12 Annual Action Plan; and
2. Approve the proposed 2011/12 Annual Action Plan.

Motion to approve the proposed 2011/12 Annual Action Plan with flexibility in adjustment of 5% plus or minus by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION

G. REPORTS

G.1 [CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES \(Informational Oral Presentation - not for Council action\)](#)

- a. Mayor Richard A. Stewart report on March Joint Powers Commission (MJPC) (Continued from April 26, 2011)

March Joint Powers Commission flew to Washington, D.C. and made several appointments over a series of days. Several issues were resolved. The letter of final approval on the Free Trade Zone has been signed. Tried to resolve the issue of moving the Marine Corp Navy Reserve facility to the area next to the Army Reserve, but all land swaps have been stopped for now. The Base is going to LED lights, and \$2M was asked for to retrofit the light system for the ILS. There is the possibility we will have to go back to the regular basic landing system. The Vice-Chief of the Air Force Reserve was asked about Fourth Air Force reduction, and he would not confirm or deny it. The Heacock Channel was discussed. Talked to the VA about a presence at March Health Care with some type of clinic. A Council Member in Riverside is rallying constituents on the other side of Riverside against the general aviation use at March. Under the FAA rules, with the millions of dollars accepted to improve the taxi ways, the lighting, the ILS, etc. night flights can't be restricted, and there needs to be a general aviation element, which March has.

G.2 [RESOLUTION REGARDING THE LIBERTY QUARRY \(Continued from April 12, 2011\) \(Report of: City Manager's Office\)](#)

Mayor Stewart opened the agenda item for public comments; which were received from Jerry Huffaker, Betsy Lowrey, Mike McFarland, Ken Johnson,

Betty Johnson, Fred Bartz, Pete Bleckert, Gary Johnson, Kenny Bell, Crystal Howard, Nelly Hernandez and William Stout.

Recommendation: That the City Council:

Discuss and consider adopting Resolution No. 2011-31 regarding the Liberty Quarry.

Resolution No. 2011-31

A Resolution of the City Council of the City of Moreno Valley, California, in Support of the Need for and Benefits of Liberty Quarry

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

- G.3 [APPROVAL OF ERP SYSTEM REPLACEMENT PROJECT BUDGET AND FUNDING PLAN; AND AUTHORIZATION FOR CITY MANAGER TO EXECUTE CONTRACT WITH NEW WORLD SYSTEMS \(Report of: Financial & Administrative Services Department\)](#)

Mayor Stewart opened the agenda item for public comments; there being none, public comments were closed.

Recommendation: That the City Council:

1. Approve the ERP System Replacement Project Budget and Funding Plan in the amount of \$1,999,060; and
2. Authorize the City Manager to execute a contract and purchase order with New World Systems (NWS) for a one-time project cost not-to-exceed \$1,322,490 and annual maintenance according to the not-to-exceed schedule below:

Year 1 maintenance	No Charge
Year 2 maintenance	\$164,640
Year 3 maintenance	\$174,930
Year 4 maintenance	\$185,220
Year 5 maintenance	\$195,510
Year 6 maintenance	\$205,800

Motion to Approve by m/Council Member Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

- G.4 [AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SECTION 1.10.080 AND 11.80.060](#)

[OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO CIVIL CITATIONS AND NOISE ENFORCEMENT \(Report of: City Attorney\)](#)

Mayor Stewart opened the agenda item for public comments; there being none, public comments were closed.

Recommendation: That the City Council:

1. Consider the following alternatives:

Adopt the proposed changes to Moreno Valley Municipal Code Sections 1.10.080 and 11.80.060; and introduce Ordinance No. 824; or

Ordinance No. 824

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Sections 1.10.080 and 11.80.060 of the City of Moreno Valley Municipal Code, Relating to Civil Citations and Noise Enforcement

2. Direct staff to make changes to the ordinance and return to a City Council meeting or study session on a later date with a revised Ordinance; or
3. Take no action. The existing Ordinances will remain in effect

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

- G.5 [CITY MANAGER'S REPORT \(Informational Oral Presentation - not for Council action\)](#)

None.

H. LEGISLATIVE ACTIONS

- H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE
- H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE
- H.3 ORDINANCES - URGENCY ORDINANCES - NONE
- H.4 RESOLUTIONS - NONE

[PUBLIC COMMENTS ON ANY SUBJECT NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL](#)

Pete Bleckert

1. Traffic Signals on Davis
2. Sunnymead Boulevard
3. Public Comments
4. Housing Market

**CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL,
COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT
AGENCY**

Council Member Robin N. Hastings

- 1) Attended the Ramona Pageant. It celebrates the history of the area, and it's a great event. It clearly demonstrates the ethnic diversity and where it came from.
- 2) Attended the League of California Cities Inland Empire Division in Temecula. The speaker discussed State and Federal redistricting. The population in Riverside County would warrant more State Senators and Assembly Members that live in the county. The current Commission is listening to people. The next meeting is May 12 at 6:00 p.m. at City Hall in Palm Springs. Go to wedrawthelines.ca.gov and submit comments. There are no elected officials on the Commission.
- 3) The Sonny Bono Memorial Interchange cannot be named after Norma Lopez as it was named by the State of California.

Council Member Marcelo Co

- 1) No public comments.

Mayor Pro Tem Jesse L. Molina

- 1) Attended the VFW Loyalty Day.
- 2) Attended Moreno Valley Appreciation Dinner. There are many Hispanic volunteers. It was an honor being there. Volunteers are a great asset to the community. Encourage citizens to volunteer.
- 3) Went to a 7-11 Grand Opening.

Council Member William H. Batey II

- 1) Apologized to Mike McCarty for not recognizing him during the Special Presentation for the top readers. The leadership is needed

to make the program work. It's a great program, and thank you to the Council for supporting it.

- 2) There have been a couple of nasty accidents on Eucalyptus and Pan Am. A resident had cars in her backyard on two separate occasions. Need to look at potentially putting up stop signs to slow down the traffic. Davis Street could use a signal.
- 3) Will talk to the City Manager in the near future to take the business concerns to him, and let him address those concerns.

Mayor Richard A. Stewart

- 1) Met with the School Task Force and explained the Economic Action Plan to the School Superintendent and Facilities people. There was a good discussion on the planning aspects. Where there are major changes, that is the forum to communicate them to.
- 2) Attended Loyalty Day at the VFW. President Eisenhower made it an official day. There was a flag ceremony and patriotic songs.
- 3) There is a sign up log at the table, so if someone is going to turn in a speaker slip, put your name on the sheet, too. Regardless of the speaker slip, if your name is on the sheet, you will be allowed to speak.
- 4) Attended the Volunteer Appreciation Dinner. Mark Sambito was Reserve Police Officer of the Year. The volunteers volunteered over 18,000 hours of service.
- 5) The west side of the Conference and Recreation Center has mixed grass and cement blocks. Mike McCarty indicated if the area was all grass there would be more opportunities to do lawn wedding receptions and other lawn events which would generate revenue.

There being no further business to conduct, the meeting was adjourned at 9:00 p.m. by unanimous informal consent.

CLOSED SESSION

PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

Mayor Stewart opened the agenda items for public comments; there being none, public comments were closed.

- a) Property: SR-60/Moreno Beach Dr. Interchange Project

City Negotiator: Chris A. Vogt
Under Negotiation: Price and terms of payment
Owner: ,
Owners Negotiator:
APN

- a) Agency Representative: Henry T. Garcia
Employee Organization: MVCEA
- b) Agency Representative: Henry T. Garcia
Employee Organization: MVMA
- c) Agency Representative: Henry T. Garcia
Employee Organization: Moreno Valley Confidential
Management Employees

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

None.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 10:52 p.m. by unanimous informal consent.

Submitted by:

Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

Richard A. Stewart, Mayor
President, Moreno Valley Community Services District
Chairperson, Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Board of Library Trustees